

SEALED BY ORDER
OF THE COURT

FILED

AUG - 4 2016

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

**UNITED STATES OF AMERICA, and
STATE OF CALIFORNIA, STATE OF
TEXAS, STATE OF NEW YORK, STATE
OF NORTH CAROLINA, ex rel. RANDY
REAGAN and JAMES LONGFIELD,**

Plaintiffs,

v.

**MEDTEST DX, INC., a Delaware
Corporation,**

Defendant.

Case No. CV-13-2345 KAW

~~PROPOSED~~ ORDER ON THE NOTICE
OF ELECTION TO DECLINE
INTERVENTION BY CALIFORNIA,
NEW YORK, AND NORTH CAROLINA

FILED UNDER SEAL

The States of California, New York and North Carolina (the “states”) having declined to intervene in this action pursuant to their respective false claims acts, the Court rules as follows:

IT IS ORDERED THAT

1. thirty days from this Order, the *qui tam* complaint be unsealed and served upon the defendant by the *qui tam* plaintiffs;
2. all other contents of the Court’s file in this action remain under seal and not be made public or served upon the defendant, except for this Order, the Notice of

1 Election to Decline Intervention by California, New York and North Carolina; and any other
2 filing ordered to be unsealed by this Court

3 3. *qui tam* plaintiffs shall serve upon the defendant this Order and Notice of Election
4 to Decline Intervention by California, New York and North Carolina, after or at the same time as
5 the service of the *qui tam* complaint;

6 4. the seal shall be lifted as to all other matters occurring in this action thirty days
7 after the date of this Order;

8 5. the parties shall serve all pleadings and motions filed in this action, including
9 supporting memoranda, upon the states, as provided for in the states' respective false claims acts.
10 The states may order any deposition transcripts and is entitled to intervene in this action, for good
11 cause, at any time;


12 6. *qui tam* plaintiffs shall serve all orders of this Court to the states; and

13 7. should a *qui tam* plaintiff or the defendant propose that this action be dismissed,
14 settled, or otherwise discontinued, the Court will provide the states with notice and an opportunity
15 to be heard before ruling or granting its approval.

16 **IT IS SO ORDERED.**

17
18 Dated: _____

8/4/16


The Honorable Kandis A. Westmore
United States District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

The United States and the States of
California, Texas, New York, North
Carolina,
ex rel. Randy Reagan and James
Longfield,
Plaintiff(s),

No. C13-2345 KAW

CERTIFICATE OF SERVICE

v.
MedTest Dx, Inc.,
Defendant(s).

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 2, 2016, I SERVED a true and correct copy of the attached, by placing said copy in a postage paid envelope addressed to the person(s) listed below, by depositing said envelope in the U.S. Mail; or by placing said copy into an inter-office delivery receptacle located in the Office of the Clerk.

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SUSAN Y. SOONG, CLERK

BY: Susan Imbriani
Susan Imbriani, Courtroom Deputy